

UTILITY PATENT APPLICATION TRANSMITTAL*(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No
D-2893CIP

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

EPIDURAL NERVE ROOT ACCESS CATHETER AND TREATMENT METHODS

and invented by:

PFLUEGER ET AL.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/813,067, filed 3/20/01

Enclosed are **Application Elements**:

- ☒ Filing Fee
- ☒ Specification having 26 page(s) and including the following:
- ☒ Title of the Invention
 - ☒ Cross References to Related Applications *(if applicable)*
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Description of the Drawings
 - ☒ Detailed Description
 - ☒ Claim(s) as Classified Below
 - ☒ Abstract of the Disclosure
- ☒ 3 Sheets of Drawings(s) (37 CFR 113) ☐ Formal ☒ Informal
- ☒ Oath or Declaration ☐ Executed ☒ Unexecuted
☐ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☒ Power of Attorney ☐ Executed ☒ Unexecuted
☐ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☐ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Computer Program in Microfiche *(Appendix)*

Accompanying Application Parts

- ☐ Assignment Papers (cover sheets & documents(s))
- ☐ The prior application is assigned of record to _____
☐ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
- ☐ English Translation Document *(if applicable)*

- ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Cited Reference(s)
☐ Preliminary Amendment
☒ Request for Non-Publication of Application
☒ Acknowledgment postcard
☒ Certificate of Mailing by Express Mail
☒ Copy of Request for Extension of Time in parent application.
☒ SMALL ENTITY STATUS IS HEREBY CLAIMED

Fee Calculation and Transmittal

* The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fe
Total Claims	21	- 20 =	1	X \$ 9.00	\$.00
Independent Claims	3	- 3 =	0	X \$43.00	\$ 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$ 0.00
BASIC FEE					\$.00
OTHER FEE (specify purpose)					\$ 0.00
(Applicant has small entity status under 37 CFR 1.9 and 1.27) SMALL ENTITY STATUS					YES
TOTAL FILING FEE					\$.00

- ☐ A check in the amount of \$ 00 to cover the filing fee and the assignment fee is enclosed.
☐ The Commissioner is hereby authorized to charge and/or credit Deposit Account Number _____ as described below.
☐ Charge the amount of \$ _____ as filing fee.
☐ Credit any overpayment.
☐ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,



FRANK J. UXA
 Attorney for Applicants
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D-2893CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

PFLUEGER ET AL)	Group Art Unit: N/A
)	
Serial No. N/A)	Examiner: N/A
)	
Dated: Submitted herewith)	
)	
For: EPIDURAL NERVE ROOT ACCESS)	
CATHETER AND TREATMENT METHODS))	

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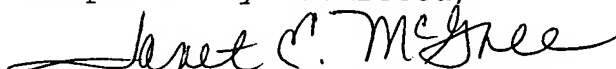
Date of Deposit: OCTOBER 23, 2003

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Application Cover Sheet;
2. Application Data Sheet;
3. Application;
4. Declaration (unsigned);
5. 3 sheets of drawings (informal);
6. Copy of Request for Extension of Time in parent application.
7. Request for Non-Publication of Application;
8. Return receipt postcard.

The 8 above-identified documents are enclosed herewith.

Respectfully submitted,



Janet E. McGhee, Office of
Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
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(949) 450-1750
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DOCKET NO.: D-2893CIP

THE ENCLOSED PATENT APPLICATION OF PFLUEGER ET AL IS
BEING FILED IN ACCORDANCE WITH SECTION 37 CFR 1.10 BY
EXPRESS MAIL AND SHOULD BE ACCORDED A FILING DATE:

OCTOBER 23, 2003

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.

D-2893CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

Pflueger et al)	Group Art Unit: N/A
)	
Serial No. N/A)	Examiner: N/A
)	
Dated: Submitted herewith)	
)	
For: EPIDURAL NERVE ROOT ACCESS)	
CATHETER AND TREATMENT METHODS))	

REQUEST FOR **NON-PUBLICATION** OF APPLICATION
UNDER 37 CFR 213(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that the above-identified application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 USC 122(b). In making this request, applicant certifies that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

Respectfully submitted,



Frank J. Oxa
Attorney for Applicant
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D-2893

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

PFLUEGER ET AL)	Group Art Unit: 3762
)	
Serial No. 09/813,067)	Examiner: Bockelman, M.
)	
Dated: March 20, 2001)	
)	
For: EPIDURAL NERVE ROOT ACCESS)	
CATHETER AND TREATMENT METHODS))	

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or

before OCTOBER 23, 2003
Grant J. Yu
Title att'y
Date 10/23/03

REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests an extension of time as follows:		
For Response	Small Entity	Other Than
<u>Within</u>	<u>Extension Fee</u>	<u>Small Entity</u>
[] one month	[] \$ 55	[] \$ 110
[] two months	[] \$210	[] \$ 420
[x] three months	[x] \$475	[] \$ 950

A continuation-in-part of the above-referenced application is being filed on even date herewith, in lieu of a reply to the Examiner's communication mailed on April 23, 2003.

D-2893

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Enclosed is a check for \$475 for the required fee. Please charge any deficiency or credit any overpayment to Deposit Account No. 21-0890.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Frank J. Uxa", written over the typed name.

Frank J. Uxa
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